



City of San Diego


CARL DEMAIO
CITY COUNCILMEMBER –DISTRICT 5

MEMORANDUM

DATE: March 2, 2009

TO: Mayor and City Council

CC: Independent Budget Analyst

FROM: Councilmember Carl DeMaio 

RE: Procedure for Debate: Time Management for Council Meetings

To further the discussion of **Item #200, B (3)** on the March 2, 2009 docket, I would like to make you aware of the attached suggestions made by the City Clerk that may also be a worthy of consideration.



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: November 12, 2008

TO: Honorable Councilmember Donna Frye, District 6 and Honorable Councilmember-elect Carl DeMaio, District 5

FROM: Elizabeth Maland, City Clerk

SUBJECT: Docketing Suggestions

At your October 30, 2008 City Council Governance Reform Public Meeting, you asked that I provide some suggestions regarding time-certain docketing. There are a myriad of factors that contribute to when an item might be heard: how many speakers are present, how long the staff presentation runs, how many questions or comments the Councilmembers have for staff. There are other factors that occasionally play a role as well: cost factors when outside counsel or consultants must be present, the impact of having a large number of uniformed employees present when there is a public safety-related issue being considered, timing issues related to deadlines and/or the service impacts of having city staff waiting to testify.

I completely understand the need to respect the public's time and to provide greater certainty about when an item might be heard. In order to do that, Council would need to consider a limit on the total amount of time required for each item. Public testimony, staff presentations and council comment would all need to be defined to provide clear boundaries regarding scheduling. This solution would potentially offer the most certainty, but it would truncate the process, and occasionally, when the maximum time was unnecessary, it would leave 'dead' time during the meeting in order to maintain the noticed schedule.

A compromise suggestion, which offers less certainty, but attempts to balance the fullness of the process, would involve scheduling time-certain items each Monday and Tuesday at 2 pm. Those slots could be reserved for high-profile or controversial items where community participation is likely. As a trade-off for receiving the time-certain slot on the docket, a total maximum time could be assigned to these items. This solution would provide one time-certain item at 2 pm both Monday and Tuesday, with remaining items grouped to be taken after 3:30 (or 4 pm – depending on the time limit Council determines is appropriate). Additional time-certain slots would be difficult to schedule since, as noted, should an early item take less time than anticipated, items

docketed and noticed for a later time couldn't be heard. This has the potential of creating 'dead' time during the meeting.

What this compromise accomplishes is to allow members of the public and staff to show up with confidence for the time-certain 2 pm item, and for those interested in the later items to time their arrival appropriately, so they wouldn't need to spend the entire afternoon in Council Chambers.

One wrinkle: this assumes that there will be a large, time-intensive item that can be taken at 2 pm, and this would require that the Director of Legislative Affairs in charge of docketing know the level of community interest, and have a realistic idea from Councilmembers about the amount of time needed to ask questions/make comments. When there is no known large, show-stopping item, it might be possible to group items into early afternoon v. late afternoon time-slots. But this again creates the potential for 'dead' time if early items are dispensed with quickly and/or a very late afternoon session if items take longer than anticipated. And, realistically, folks would still be waiting for their item if it wasn't granted that first, time-certain slot.

Any public hearing is a balance between participation and efficiency. Maximizing one side of the equation tends to impact the other. I would be happy to discuss the ideas outlined above and look forward to an ongoing discussion about City Council Governance. I can be reached either by e-mail at emaland@sandiego.gov or by phone at 619-533-4080.



Elizabeth Maland
City Clerk

cc. George Biagi, Deputy Director of Legislative Services, Office of the City Clerk